

REMARKS

Claims 22-24, 26-46, 48-51, and 53-60 are pending in the application. Independent claims 22, 41, 46, and 55 have been amended to recite that at least one of the finishing units is tilted relative to the frame "from a working position to a transport or service position in which the finishing machine has a reduced width" (independent claim 22; see also independent claims 41, 46, and 55). The amendments are fully supported by the application as originally filed (see FIGS. 1, 3, and 4; and specification at page 3, lines 7-17; page 4, lines 18-25; page 9, lines 8-22; and page 10, lines 3-11).

For example, referring to FIGS. 1, 3, and 4 of the application, when the finishing units are tilted from a working position (FIG. 1) to a transport position (FIG. 3) or a service position (FIG. 4), the width of the finishing machine can be reduced. *See, e.g.*, specification at page 3, lines 7-17; page 4, lines 18-25; page 9, lines 8-22; and page 10, lines 3-11.

Claims 22-24, 26-46, 48-51, 53, and 55-60 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 7,261,623 to Palushi in view of U.S. Patent 6,295,682 to Klucznik. Claim 54 was rejected under 35 USC 103(a) as being unpatentable over Palushi in view of Klucznik, and further in view of U.S. Patent 5,643,047 to Beckett et al. These rejections are respectfully traversed.

Regarding the rejection of independent claims 22, 41, 46, and 55 over the proposed combination of Palushi in view of Klucznik, the proposed combination does not teach or suggest a finishing machine or a method for finishing a work surface in which at least one of a plurality of finishing units is tiltable relative to a frame "from a working position to a transport or service position in which the finishing machine has a reduced width," as recited in independent claim 22 (*see also* independent claims 41, 46, and 55).

Referring to FIGS. 29-34 and column 12, line 5 to column 14, line 51 of Palushi, a finisher includes a plurality of floor finishing units 420 that can be "upwardly and downwardly displaceable" relative to a main frame 414, where each floor finishing unit 420 is pivotable about a cap screw 458 (see, e.g., column 13, lines 32-37; and FIGS. 33-34 of Palushi).

In Palushi, the tilting action permitted by connection between the floor finishing unit 420 and the cap screw 458 is used to compensate for "uneven surfaces" (see, e.g., column 13, lines 39-42 of Palushi), but there is no teaching or suggestion that the floor finishing units 420 can be tiltably adjusted to a "transport or service position," as claimed.

As noted on page 2, last three lines of the Office Action of 08/14/2009, there is no teaching or suggestion in Palushi of an actuating mechanism for tiltably adjusting a position of one of the floor finishing units 420 of Palushi to a "transport position" (e.g., out of a working position). Further, there is no teaching or suggestion in Palushi that a width of the machine is somehow reduced by the pivoting movement depicted in FIGS. 29-34 of Palushi.

As described in column 3, lines 45-54 of Klucznik, a power brush assembly 30 can be engaged in a working position "for washing or polishing purposes," as shown in FIG. 6 of Klucznik, or moved into a raised or neutral position of FIG. 7 when an operator releases a control arm 44 from a linch-pin 50.

However, even if Klucznik was somehow combined with Palushi, the proposed combination would not produce the Applicant's claimed invention. In particular, the power brush assembly of Klucznik does not have a reduced width in the raised or neutral position of FIG. 7, as compared to the working position of FIG. 6. Therefore, even if the references were somehow combined, the proposed combination would not have a reduced width in a raised or neutral position.

Moreover, even if the control arm 44 and linch-pin 50 mechanism of Klucznik was somehow incorporated into Palushi, it would destroy the operability of the Palushi reference. In particular, in the working position of FIG. 6, the power brush assembly of Klucznik is not capable of adjusting to

uneven floor surfaces, and thus would not include the two degrees of freedom required in Palushi for adequately finishing uneven floor surfaces.

Further, regarding independent claim 55, the proposed combination does not teach or suggest finishing units that are tiltable about axes that form "an acute angle with respect to each other," as claimed.

For at least the reasons discussed above, the proposed combination of Palushi in view of Klucznik does not teach or suggest the Applicant's claimed invention. Therefore, independent claims 22, 41, 46, and 55 and their respective dependent claims are patentable over the proposed combination.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

/Steven M. Jensen/

Date: November 12, 2009

Steven M. Jensen
(Reg. No. 42,693)
Edwards Angell Palmer & Dodge
P.O. Box 55874
Boston, MA 02205

Phone: (617) 239-0100

Customer No. 21874